

Message Text

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PAGE 01 TOKYO 14871 171104Z
ACTION EA-12

INFO OCT-01 EB-08 ISO-00 LOC-01 /022 W
-----117492 180924Z /14

R 170905Z AUG 78
FM AMEMBASSY TOKYO
TO USDOC WASHDC
INFO SECSTATE WASHDC 0467
AMEMBASSY BANGKOK
AMCONSUL HONG KONG
AMEMBASSY JAKARTA
AMEMBASSY MANILA
AMEMBASSY SINGAPORE
AMEMBASSY TAIPEI

UNCLAS TOKYO 14871

E.O. 11652: NA
TAGS: ETRD, EIND, JA
SUBJECT: ALLEGATIONS OF PATENT INFRINGEMENTS BY U.S.
PHOSMARINE, INC., COSA MESA, CA.

REF: TOKYO 13306

1. ERIC WHITEWAY, AMERICAN OWNER OF FOREIGN RIGHTS FOR A TYPE OF SHIPCLEANING EQUIPMENT, WHILE VISITING EMBASSY FOR A ROUTINE TRADE INQUIRY, MENTIONED THAT AN AMERICAN COMPANY, U.S. PHOSMARINE, INC.; LAST KNOWN ADDRESS, 3186 AIRWAY AVE., BLDG. F, COSTA MESA, CA 92626; PRESIDENT, SAMUEL LECOCQ; IS CURRENTLY UNDER A U.S. COURT INJUNCTION PROHIBITING THEM FROM MANUFACTURING AND MARKETING SHIP-CLEANING PRODUCTS PATENTED BY PHOSMARINE EQUIPMENT (PHOCEENE SOU-MARINE), 21 BOULEVARD DE PARIS, 13002 MARSEILLE, FRANCE. EMBASSY BELIEVES U.S. PHOSMARINE MAY BE SAME COMPANY WHICH REQUESTED ADS DATED JUNE 1, 1978 (CA-5570, AUGUST 22, 1975 (SIC)) FROM HOWARD KRISVOY, EXPORT MANAGER, U.S. PHOSMARINE, INC., TO
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WHICH EMBASSY REPLIED IN REFTEL. IF SO, AND IF WHITEWAY'S ALLEGATIONS ARE CORRECT, EMBASSY REQUESTS DOC GUIDANCE ON NOTIFYING COMPANIES CONTACTED UNDER ADS REQUEST AND INFORMING THEM OF LEGAL COMPLICATIONS, IF ANY. WHITEWAY DID NOT HAVE ANY PROOF INJUNCTION IS ACTUALLY IN EFFECT, AND, IF SO, SCOPE OF COURT'S JURISDICTION. ADS REQUESTS MAY HAVE BEEN MADE TO OTHER EMBASSIES ALSO.

2. ACCORDING TO INFORMATION FROM WHITEWAY, A HEARING WAS RECENTLY HELD ON THIS CASE IN LOS ANGELES DISTRICT COURT. HE SAID HIS LAWYER, MR. J. F. KUNATH, TELEPHONE (714) 581-1400 CAN PROVIDE DETAILS.

3. EMBASSY HAS TAKEN NO ACTION CONCERNING WHITEWAY'S ALLEGATIONS, NOR HAS EMBASSY PERMITTED WHITEWAY TO HAVE ACCESS TO U.S. PHOSMARINE FILE OR ADS REQUEST.
MANSFIELD

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NNN

Message Attributes

Automatic Decaptioning: X
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Draft Date: 17 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
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Disposition Approved on Date:
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Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
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